



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

Mailed: 1/24/06

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Paper No. _____

In re application of: :
Ronald D. Key et al :
Serial No.: 09/931,218 : DECISION ON
Filed: August 16, 2001 : PETITION
For: APPARATUS FOR C2 RECOVERY :

This is a response to the PETITION UNDER 37 C.F.R. 1.181 TO WITHDRAW THE HOLDING OF ABANDONMENT, filed August 22, 2005. The petition requests that the abandonment, as set forth in the Notice of Abandonment of August 10, 2005, for failure to timely file a proper response to the Office letter dated October 05, 2004 be withdrawn. The petitioner asserts that applicants timely filed a proper response on November 05, 2004.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicants did file the proper response to the Office letter of October 05, 2004 in a timely manner. The evidence provided includes a copy of the Response to the Office letter of October 05, 2004 with a Certificate of Mailing dated November 05, 2004 (EXHIBIT B) and a copy of a return postcard bearing the stamp of the USPTO dated November 08, 2004 (EXHIBIT C).

Therefore, the abandonment is hereby withdrawn, and the application is returned to pending status. The application will be forwarded to the Technical Support Staff



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for entering of the Response dated November 05, 2004 and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED.**

A handwritten signature in cursive script, appearing to read "JStone", is written over a horizontal line.

Jacqueline Stone, Director
Technology Center 1700
Chemical and Materials Engineering

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